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8 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

9 UNITED STATES OF AMERICA,

Case No.: 2:20-cr-00263-KJD-BNW

10 Plaintiff,

GOVERNMENT'S MOTION TO DISMISS
COUNT ONE OF THE CRIMINAL
INDICTMENT PURSUANT TO FEDERAL
RULE OF CRIMINAL PROCEDURE 48(a)

11 vs.

12 DAVID ROACHE,

13 Defendant.

14 COMES NOW the United States of America, by and through Jason M. Frierson, United
15 States Attorney, and Melanee Smith, Assistant United States Attorney, and respectfully seeks
16 leave of court pursuant to Federal Rule of Criminal Procedure 48(a) to dismiss without
17 prejudice Count One of the Criminal Indictment filed on September 29, 2020 (ECF 1) as to
18 defendant David Roache in the interests of justice.

19 DATED this 8th day of December 2022.

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21 Respectfully Submitted,
JASON M. FRIERSON
22 United States Attorney

23 MELANEE SMITH

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Assistant United States Attorney

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2 **UNITED STATES DISTRICT COURT**
3 **DISTRICT OF NEVADA**

4 UNITED STATES OF AMERICA,
5 Plaintiff,
6 vs.
7 DAVID ROACHE,
8 Defendant.

Case No.: 2:20-cr-00263-KJD-BNW

9 **[PROPOSED] ORDER OF DISMISSAL**

10 Pursuant to Federal Rule of Criminal Procedure 48(a), and upon leave of Court, the
11 United States hereby dismisses without prejudice Count One of the indictment against
12 defendant David Roache.

13 JASON M. FRIERSON
14 United States Attorney

15 By /s/ Melanee Smith
16 MELANEE SMITH
17 Assistant United States Attorney

18 Attorneys for Plaintiff
19 UNITED STATES OF AMERICA

20 Leave of Court is granted for the filing of the above
21 dismissal. Dated: December 12, 2022.

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23 HONORABLE KENT J. DAWSON
24 United States District Judge